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5 **UNITED STATES DISTRICT COURT**  
6 **DISTRICT OF NEVADA**  
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8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 HATTIE B. DAY,

12 Defendant.  
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Case No. 2:99-CR-0287-KJD-RJJ

**ORDER**

14 Presently before the Court is Defendant's letter (#441). In the four page handwritten letter,  
15 one sentence refers to retroactive application of sentencing guidelines relating to convictions for  
16 "crack cocaine." Out an abundance of caution, the letter was docketed as a Motion for Retroactive  
17 Application of Sentencing Guidelines. However, it appears that Defendant has been released from  
18 custody. See Order Granting Request for Modification to Conditions of Supervision (#496).

19 Accordingly, IT IS HEREBY ORDERED that Defendant's Motion (#441) is **DENIED as**  
20 **moot.**

21 DATED this 4th day of April 2013.  
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25 Kent J. Dawson  
26 United States District Judge